

DEC 02 2005

60,246-313; 10,857

**UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: VanOstrand  
Serial No.: 10/760,664  
Filed: 1/20/2004  
Art Unit: 3744  
Examiner: Tanner, Harry B.  
Title: Control of Multi-Zone and Multi-Stage HVAC System

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**REQUEST FOR RECONSIDERATION**

Dear Sir:

Reconsideration of the final rejection dated October 17, 2005 is requested. Essentially, all claims are rejected over the combination of the Narikiyo patent taken with the VanOstrand, et al. patent. Claim 1 is a claim to the control, and recites that the control receives a plurality of zone control signals, which provide information on a desired temperature and an actual temperature. The control utilizes a current one of the zone control signals and at least a prior one of the zone control signals to determine a desired staging demand for an associated HVAC system.

Claim 8 is a method claim and includes determining a zone demand for each of several zones based upon a zone set point, and an actual zone temperature. The claim requires determining a desired stage for an associated HVAC system based upon a current value of the zone demand and prior values of the zone demand.

Independent claim 10 is a claim to the system and recites that there are a plurality of zone controls allowing the setting of the zone set point, and determining an actual zone temperature. A central control is recited as utilizing current zone control signals and at least a prior zone control signal to determine a desired staging demand for an HVAC system component.

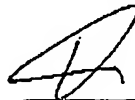
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The references do not meet the claims, even if the combination is proper. As pointed out in the last response, VanOstrand, et al. does not disclose utilizing current and past zone signals to determine a stage for an HVAC system. The examiner points to a portion of VanOstrand, et al. which describes the use of a control loop. However, this control loop goes to damper positioning. It appears that this control loop is for properly positioning where the damper is at each of the zones. That is, it appears VanOstrand, et al. is disclosing a control to properly position a damper at a desired location, but not for determining what the desired location is. Thus, as an example, the control of VanOstrand, et al. would not look at current and past zone control signals. Rather, at best, VanOstrand, et al. looks at current and past damper control signals. Within each of the claims, the signals that are utilized are claimed as requiring information about the particular zone, not the damper. As such, even if the combination is proper, the claims are still not met.

Dependent claims 2 and 3 further recite features that are simply not shown by VanOstrand, et al. Nothing within VanOstrand, et al. mentions that the current and past position signals are utilized to determine system demand. Certainly, the formula found in claim 3 is not shown within VanOstrand, et al. The detail of claim 7 is in no manner shown by VanOstrand, et al. Claim 7 requires that there be first and second multipliers applied to the current and past zone control signals, and that those multipliers be different. Nothing within VanOstrand, et al. can meet this claim.

The claims dependent back to system claim 10 are patentably distinct for reasons similar to those mentioned above with regard to the dependent claims going back to claim 1. Simply, the claims are allowable over the prior art, and an indication of such is requested.

Respectfully submitted,



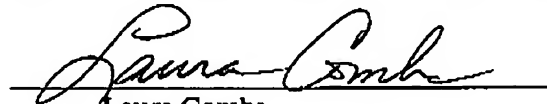
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CERTIFICATE OF TRANSMISSION UNDER 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the United States patent and Trademark Office, fax number (571) 273-8300, on December 2, 2005.

  
Laura Combs